

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

 ORIGINAL

- - - - -X

UNITED STATES OF AMERICA :

SUPERSEDING INFORMATION

- v. - :

S1 14 Cr. 544 (VC)

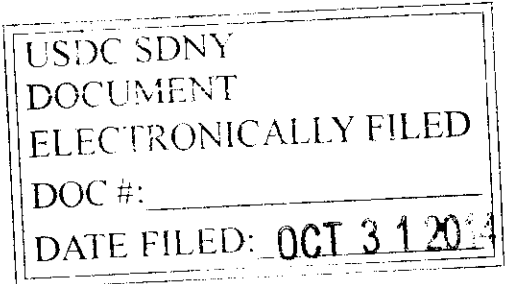
MARLEN RAPPA, :

a/k/a "nelram,"

Defendant.

- - - - -X

COUNT ONE  
(Computer Hacking)



The United States Attorney charges:

1. From at least in or about February 2012, up to and including in or about March 2014, in the Southern District of New York and elsewhere, MARLEN RAPPA, a/k/a "nelram," the defendant, intentionally accessed a computer without authorization and exceeded authorized access, and thereby obtained information from a protected computer, in furtherance of a criminal and tortious act in violation of the Constitution and laws of the United States and of a State, to wit, RAPPA used malware, including Blackshades malware, to infect victims' computers, steal victims' personal files, and spy on and photograph victims using webcams on their computers, in furtherance of RAPPA's commission of the tort of invasion of privacy under New Jersey state law.

(Title 18, United States Code, Sections 1030(a)(2)(C),  
1030(c)(2)(B)(ii), and 2.)

FORFEITURE ALLEGATION

2. As a result of committing the offense alleged in Count One of this Information, MARLEN RAPPA, a/k/a "nelram," the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Sections 982(a)(2)(B), 1030(i) and (j), and Title 28, United States Code, Section 2461, any property constituting or derived from proceeds obtained directly or indirectly as a result of the said offense, and any personal property used or intended to be used to commit or to facilitate the commission of the said offense, including, but not limited to, all right, title, and interest in any computers used by RAPPA to commit the offense.

SUBSTITUTE ASSETS PROVISION

3. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
  - b. has been transferred or sold to, or deposited with, a third person;
  - c. has been placed beyond the jurisdiction of the Court;
  - d. has been substantially diminished in value;
- or

e. has been commingled with other property which cannot be subdivided without difficulty; it is the intent of the United States, pursuant to Title 18, United States Code, Section 982(b)(1), and Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Sections 982 and 1030, Title 21, United States Code, Section 853, Title 28, United States Code, Section 2461.)

  
PREET BHARARA   
United States Attorney

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UNITED STATES OF AMERICA

- v. -

MARLEN RAPPA,

Defendant.

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INFORMATION

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(18 U.S.C. §§ 1030 and 2.)

PREET BHARARA

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United States Attorney.

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